

Serial No.: 09/586,410

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REMARKS

Upon entry of the instant amendment, claims 1, 3-6, 8-11, 13-16, and 18 are pending. Claims 1, 6, 11, and 16 have been amended to more particularly point out Applicants' invention

Claim 6 was objected to for lack of a period. Claim 6 has been amended to provide the period. As such, Applicants respectfully submit that the basis for the objection is obviated.

Claims 1, 3-6, 8-11, 13-16, and 18 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. These claims have also been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement and with 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants' regard as the invention.

In particular, the limitation "wherein said source file with extended grammar constructs is associated with existing executables" was indicated to be not described in or lacking support in the specification. The claims have been amended to recite "wherein said source file with extended grammar constructs is associated with basic executables." Support is found, inter alia, at page 5 of the Specification:

The extended source file 100 is input to the translator unit 102. The translator unit 102 may include one or more databases that store conversion tables of the extended and non-extended ASN.1 grammar constructs. The translator unit 102 outputs a basic source file 104. The basic source file 104 includes only X.680 grammar constructs. The basic source file 104 is input to the compiler unit 106. The compiler unit 106 may be any standard compiler that supports only the basic constructs. However, since the source file 100 has been translated into the source file 104, the compiler 106 is able to produce a compiled executable file 108.

Thus, the extended source file is input to a translator, which produces a corresponding basic source file including basic executables, thereby associating the extended source file with the basic executables. Thus, this element of the claim is found in and

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supported by the specification. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 1, 3-5, 16 and 18 were rejected under 35 U.S.C. 101 as being directed to nonstatutory subject matter. In particular, claim 1 was indicated to "appear to be of software alone." Claims 1 and 16 have been amended to recite a "computer readable [or executable] medium." As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 1, 6, 11, and 16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Chang, U.S. Patent No. 5,230,049 ("Chang") in view of Bapat, U.S. Patent No. 5,291,583 ("Bapat") and further in view of Li, U.S. Patent No. 6,063,133 (Li"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Chang, Bapat, or Li, either singly or in combination.

As discussed in response to previous Official Actions and the Specification, a computer system according to an implementation of the invention implements a translator and a compiler for compiling a machine readable language, such as ASN.1. When a source file is provided, the system performs a line-by-line compare to determine if the file contains extended grammar constructs of the language. If not, then the source file is compiled. If so, however, then the source file is input to the translator to translate the source file into basic grammar constructs. A basic grammar compiler then compiles the source file, such that the (translated) functions of the extended grammar constructs can be executed as a compiled basic grammar construct compiled code. In certain embodiments, the translator may be implemented having multiple configurable levels of precompilation. In some embodiments, the translation comprises a direct conversion from a source file to a basic source file. That is, the present invention allows the association of new source files with basic executables.

Thus, the claims have been amended to recite "wherein said source file with extended grammar constructs is associated with basic executables" In contrast, as described in the Summary of the Invention, and as discussed in Response to previous Official Actions, an object of Chang is to provide a translator for computer

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source code which *simplifies the writing of pre-compilers*. It is a further object of Chang to allow pre-compilers to be written without requiring detailed knowledge of an underlying supplemental system."

To do so, Chang provides that

"a pre-compiler for host language programs which can contain embedded statements in a supplemental language is separated into two major portions. One portion is independent of the host language being processed; supplemental language statements are passed to it in a formal, language independent format. This language independent format is responsible for parsing the language independent statements and generates a list of tasks which represent calls to a run time library.

"The other portion of the pre-compiler is dependent on the identity of the host language to be processed. It locates supplemental language statements in a host language program, transforms them into the language independent format, and communicates the transformed statements into the language independent portion. The language dependent portion receives the task list generated by the language independent portion and generates appropriate source code procedure calls to the run time library."

Chang thus provides for translating language specific program source code containing SQL database commands as supplemental language fragments into a language independent format. The language independent format is converted into a list of tasks and the list of tasks is then converted into source code statements in the language specific format. This is indicated to simplify the task of devising pre-compilers. Thus, the teachings of Chang relate to associating basic source files with new executables.

The present invention, however, translates extended grammar constructs into basic grammar constructs, (i.e., a new source file with basic executables) "wherein said compiler generates executable code implementing a function of the extended grammar constructs as compiled basic grammar constructs" and "wherein said source file with extended grammar constructs is associated with basic executables."

Bapat is relied on for allegedly teaching ASN.1 as "a machine readable language." Bapat, however, relates merely to "storing ASN.1 object instances in a relational database language such as SQL." Col. 1, lines 21-22. Like Chang, Bapat appears to have nothing to do with translating *extended* grammar constructs into *basic*

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grammar constructs, "multiple configurable levels of precompilation," or "wherein said compiler generates executable code implementing a function of the extended grammar constructs as compiled basic grammar constructs" or "wherein said translation comprises a direct conversion from said source file to said basic source file" or "wherein said source file with extended grammar constructs is associated with basic executables" as generally recited in the claims at issue.

Li is relied on for allegedly teaching a "direct conversion." However, like Chang and Bapat, Li does not appear to relate, inter alia, to "wherein said source file with extended grammar constructs is associated with basic executables" as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections.

Claims 3-5, 8-10, 13-15, and 18 were rejected under 35 U.S.C. §103 as being unpatentable over Chang in view of Bapat and Li and further in view of "Applicant Admitted Prior Art (APAA)." Chang and Bapat and Li have been discussed above. Applicant Admitted Prior Art is indicated to merely specify particular ASN.1 grammar extensions. Because, however, APAA fails to relate in any way to a translator as recited in the claims at issue (indeed, that is a very object of the present invention), its combination with Chang, Li, and Bapat likewise fails to teach, suggest or imply the present invention. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections.

Further, Applicants are well aware that "one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references." Applicants have not done so. Instead, Applicants have pointed out deficiencies in the primary reference that are not cured by the secondary references. Thus, even if the secondary references are combined with the deficient primary reference, there is no obviousness.

Finally, Applicants note that the Patent Office apparently ignored elements of the claimed invention to arrive at the obviousness rejection. In particular, as described in various paragraphs of the Official Action, the last element was "interpreted" as meaning "wherein said source file with extended grammar constructs is associated

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with executables." The Patent Office is invited to fully reconsider the claims without ignoring explicit claim limitations.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

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